

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re VEECO INSTRUMENTS, INC. :
SECURITIES LITIGATION :
-----X

MDL No.: 7:05-md-01695 (CM)

-----X
THIS DOCUMENT RELATES TO :
ALL ACTIONS :
-----X

**JOINT STIPULATION AND [PROPOSED] ORDER
TO REVISE PRETRIAL SCHEDULE**

Subject to approval by the Court, the parties in the above action hereby agree that fact discovery in the above action will be completed by October 27, 2006, and expert discovery shall be completed by December 22, 2006, and also agree to the specific dates for discovery as set forth below.

On October 6, 2005, the Court held an Interim Pretrial Conference. On October 7, 2005, the Court issued an Order establishing a Pretrial schedule in which the Court directed the parties to complete discovery within 6 months, which would be April 7, 2006. Under the PSLRA, discovery was stayed during the pendency of the motion to dismiss. On March 21, 2006, the Court issued an Order and Decision Denying Defendants' Motion to Dismiss Consolidated Amended Class Action Complaint (the "Amended Complaint"), and Granting Lead Plaintiffs' Motion for Class Certification, thereby permitting discovery to commence. The parties therefore sought a revision of the Discovery deadline and pretrial schedule, and agreed to the following proposed schedule:

1. Defendants shall answer the Amended Complaint on or before April 10, 2006.
2. The parties will exchange the Initial Disclosures required under Fed. R. Civ.P. 26(a)(1) by April 14, 2006.

3. Each side may immediately commence serving requests for production of documents upon the other side and upon third-parties. Document production shall be completed by July 31, 2006, except with respect to documents that remain to be produced pursuant to outstanding motions or Orders of the Court.

4. All Fact Discovery shall be completed by October 27, 2006.

5. The parties shall identify their experts and produce their expert reports by November 13, 2006.

6. Any rebuttal or supplemental reports shall be produced by December 1, 2006, with explanations as to which the contents were not included in the original report. Expert depositions shall ensue thereafter.

7. Expert Discovery shall be completed by December 22, 2006.

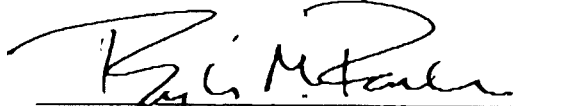
The parties shall make good faith attempts to resolve any discovery issues. By the Court's October 7, 2005 Order, Magistrate Judge Yanthis has been designated by the Court to resolve any discovery disputes.

This schedule may be modified by agreement of the parties for good cause with approval by the Court.

The parties agree that all service shall be made by electronic means for all documents requiring service.

AGREED TO BY:

BERGER & MONTAGUE, P.C.



Sherrie R. Savett, Esq.
Phyllis M. Parker, Esq.
Jeffrey L. Osterwise, Esq.
1622 Locust Street
Philadelphia, PA 19103
Tel: (215) 875-3000
Fax: (215) 875-4674

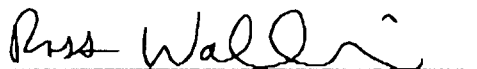
*Lead Counsel for Lead Plaintiff Steelworkers
Pension Trust and the Class*

Dated: April 5, 2006

IT IS SO ORDERED:

Date: April 5, 2006

GIBSON, DUNN & CRUTCHER, LLP



Robert F. Serio, Esq.
John A. Herfort, Esq.
J. Ross Wallin, Esq.
200 Park Avenue, 47th Floor
New York, NY 10166
Tel: (212) 351-4000
Fax: (212) 351-4035

*Counsel for Defendants Veeco Instruments,
Inc., Edward H. Braun, John F. Rein, Jr.
and John P. Kiernan*

Dated: April 4, 2006



Honorable Colleen McMahon
United States District Court Judge